

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
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Corporations Counsel
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7 Attorneys for the People of the State of California

FILED
Superior Court of California
County of San Francisco

MAR 25 2011

CLERK OF THE COURT
By: Craig Blackstone
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE CITY AND COUNTY OF SAN FRANCISCO

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA, by and through the
13 COMMISSIONER OF CORPORATIONS,

14 Plaintiff,

15 vs.

16 MICHAEL P. GAMBOA; individually and
17 doing business as GAMBOA & COMPANY;
18 MPG, LLC; MARK H. POORE; RMB
19 OPERATIONS, LLC; PALETTE SIENNA
20 INTERNATIONAL FUND, LLC;
21 PALETTE GROUP, LLC; PALETTE II
22 GROUP, LLC; PALETTE III GROUP, LLC;
23 PALETTE IV GROUP, LLC; PALETTE
24 AQUA INVESTMENT FUND, LLC;
25 PALETTE COBALT INVESTMENT
26 FUND, LLC; THE CRIMSON FUND, LLC;
EPLAY, LLC; EPLAY INVESTMENTS
27 LLC; EPLAY INVESTMENTS 2 LLC;
28 POGA MANAGEMENT PARTNERS, LLC;
401K RETIREMENT SOLUTIONS, LLC;
MXM INVESTMENTS, LLC and DOES 1-
100

Defendants.

Case No.: CGC-09-492027

ORDER RE PERMANENT INJUNCTION AND
DISMISSAL OF THE REMAINING ACTION
AS TO DEFENDANT EPLAY, LLC.

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

In the above-entitled action, Defendant, Eplay, LLC and Plaintiff, The People of the State of California by and through the California Corporations Commissioner, having settled this action as between them, ~~stipulate~~ and having stipulated to the entry of this Order Granting Permanent Injunction and dismissing without prejudice the remainder of the action and claims for relief contained therein as to Defendant Eplay, LLC, ~~as follows~~.

IT IS HEREBY ADJUDGED, ORDERED, AND DECREED:

1. That Defendant Eplay, LLC, their agents, employees, attorneys in fact, and all persons acting in concert or participating with them, directly or indirectly are hereby permanently enjoined from:
 - a. Violating Corporations Code section 25110 by offering or selling securities, without those securities being qualified pursuant to the Corporate Securities Law of 1968, or unless exempt;
 - b. Violating Corporations Code section 25401 by offering or selling any securities by means of any written or oral communication which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;
2. That pursuant to the agreement and stipulation of the parties and order of the court, with the exception of the issuance of this Permanent Injunction which shall remain in effect as a final order, the remainder of the complaint filed in this action and requests for relief therein is hereby dismissed without prejudice as to Defendant Eplay, LLC only.

IT IS SO ORDERED

Date: March 25, 2011

By: JOHN MUNTER
Judge of the Superior Court